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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/509,262	05/11/2005	Mark S. George	19113.0093U2	5307	
	7590 08/21/200 Andrews & Ingersoll, L	EXAMINER			
SUITE 1000		GETZOW, SCOTT M			
999 PEACHTR ATLANTA, GA	:=	ART UNIT	PAPER NUMBER		
			3762		
			MAIL DATE	DELIVERY MODE	
			08/21/2009	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Commons		Applicati	on No.	o. Applicant(s)				
		10/509,20	52	GEORGE ET AL.				
Office Action Summary			•	Art Unit				
		Scott M. 0	Setzow	3762				
Period fo	The MAILING DATE of this communication or Reply	n appears on the	e cover sheet with the c	orrespondence ac	ldress			
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR RECHEVER IS LONGER, FROM THE MAILING asions of time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communication of period for reply is specified above, the maximum statutory per to reply within the set or extended period for reply will, by steply received by the Office later than three months after the red patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THE FR 1.136(a). In no even. eriod will apply and westatute, cause the app	HIS COMMUNICATION ent, however, may a reply be tin ill expire SIX (6) MONTHS from lication to become ABANDONE	N. nely filed the mailing date of this of D (35 U.S.C. § 133).				
Status								
1) 又	Responsive to communication(s) filed on (03 June 2009						
, —	Responsive to communication(s) filed on <u>03 June 2009</u> . This action is FINAL . 2b) This action is non-final.							
3)	<i>'</i> —			secution as to the	e merits is			
٥/ك	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims	,	,					
· · _		ation						
-	Claim(s) <u>1-21</u> is/are pending in the application.							
	4a) Of the above claim(s) is/are withdrawn from consideration.							
·	\[\text{Claim(s)} \frac{1-10,15-21}{2} \] is/are allowed.							
	Claim(s) <u>11-14</u> is/are rejected.							
-	Claim(s) is/are objected to.							
8)[_]	Claim(s) are subject to restriction as	na/or election r	equirement.					
Applicat	on Papers							
9)	The specification is objected to by the Exar	miner.						
10)	The drawing(s) filed on is/are: a)□	accepted or b)	objected to by the I	Examiner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
	Replacement drawing sheet(s) including the co	orrection is requir	ed if the drawing(s) is ob	jected to. See 37 C	FR 1.121(d).			
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority ι	ınder 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some coll None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
2) Notice (3) Inform	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	3)	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:	ate				

Claim Rejections - 35 USC § 102

1. Claims 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ives et al (6,198,958).

Re claim 11, Ives is considered to show means for locating at least one neural circuit (this can be done with the MRI system set forth in Ives, or the fMRI system discussed in column 1 of Ives), an electromagnetic coil (shown in figure 2), and means for delivering TMS from the coil (this is element 42). Re claim 12, fMRI is discussed in column 1. Re claim 13, the processing electronics is considered to have a CPU and memory since such structures are essential in the workings of the MRI device. Re claim 14, the Ives device can produce TMS dependent upon parameters inputted by the physician. The other language in the above claims is considered to be intended uses, not structural limitations, which the device of Ives can perform if desired by the user.

Allowable Subject Matter

- 2. Claims 1-10,15-21 are allowed.
- 3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Getzow whose telephone number is (571) 272-4946. The examiner can normally be reached on M-F, 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (571) 272-4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit: 3762

/Scott M. Getzow/ Primary Examiner, Art Unit 3762